Entered - 03/09/98 - sb CL98L0142 - DIANNE C. MITCHELL

CLAIM OF: SHERRY MCHENRY

562 Lakeshore Drive Atlanta, Georgia 30307

For damages alleged to have been sustained as a result of property damage due to a collapsed drainage pipe in 1996 at 562 Lakeshore Drive.

THIS ADVERSED REPORT IS APPROVED

ROSALIND RUBENS NEWELL

DEPUTY CITY ATTORNEY

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

| Claim No. 98L0142 | Date: November 16, 2000 |
|--|--|
| Claimant /Victim SHERRY MCHENRY | |
| BY: (Atty) (Ins Co.) | |
| Address: 562 Lakeshore Drive, Atlanta, Georgia 3030 Subrogation: Claim for Property damage \$ 7,000.00 | 7 |
| Subrogation: Claim for Property damage \$ 7,000.00 | Bodily Injury \$ |
| Date of Notice: June, 1996 Method: Written, proper | X Improper |
| Date of Notice: June, 1996 Method: Written, proper Conforms to Notice: O.C.G.A. §36-33-5 | Ante Litem (6 Mo.) |
| Date of Occurrence 02/11/98 Place: 562 Lakes | hore Drive |
| Department Public Works Division | n: Sewer Operations |
| Employee involved Dis | sciplinary Action: |
| NATURE OF CLAIM: The claimant alleges her property has been of runs under her house. The investigation determined that the drainage is the responsibility of the claimant. Furthermore, the claim as presen notice as set forth in O.C.G.A. §36-33-5, the six month statute of lim | pipe is not part of the City's sewer system, but ted does not comply with the requirements of |
| INVESTIGATION: | |
| Statements: City employee Claimant Others PicturesX Diagrams Reports: Police D Traffic citations issued: City Driver Claimant D Citation disposition: City Driver Claimant D | ept Report X Other Other |
| BASIS OF RECOMMENDATION: | જર્તી. |
| Function: Governmental X Ministerial | |
| Function: Governmental X Ministerial Improper Notice More than Six Months X Other | X Damages reasonable |
| City not involved Offer rejected | Compromise settlement |
| City not involved Offer rejected Repair/replacement by Ins. Co Repair/replacement Negligent Joint City Negligent Joint | acement by City Forces |
| Claimant Negligent City Negligent Joint | Claim Abandoned |
| • | ully submitted, |
| NVEST | IGATOR - DIANNE C. MITCHELL |
| RECOMMENDATION: | |
| Pay \$ Adverse X Account charge Claims Manager: Conc | ed: 1A012J012H01 ur/date///6 cr/ |
| | tion |
| Committee rection. | |
| FORM 23-61 | |

02-23-88

| COUNCIL OF THE CITY OF ATL | ANTA R R | RE: CLAIM FOR D | | (D) |
|---|--|--|--|---|
| MUNICIPAL CLERK City Hall | | Today's Date: | FeB 9-9 | 8 |
| 55 Trinity Avenue, S.W. | FEB 1 1 1998 | | | |
| Atlanta, Georgia 30335 | | ENTERED - 3 | -9-98 - SB NTHONY OATIS | |
| Dear Municipal Clerk: | MUNICIPAL CL | J010142 - A | WINONI OZIIIO | |
| The state of the state of Addition | and the second does | magas in the amount of | of \$7000 | |
| This is to notify the City of Atlantand/or \$boo | lily injury for which I conte | nd the City is liable. | # 40 | property |
| 1. Date of incident: June | 1996 2. Time of | Incident: This | 3 Police called | |
| · | lay/year) | has been hoppening | for awaite | Yes No |
| 4. Location of incident (including stree | taddress): 56244 | ATSHOPE DV | TTIONING | <i>> 1 </i> |
| 5. Name of your insurance company: | Georgia 1 | FARM Bureau | Policy No. 2 | 30 / |
| 6. State what and how incident occurre | ed: / Mere 13 a | 1411/4 (0 | TTA PIP | 2e |
| which is a dra | | | | |
| It 15 collops | ing of the 1 | right side | of my ho | use |
| has shifted The pipe (5 Ci 7. ALL ESTIMATES AND DAMA | + damage | & Floors 4 | rudous + | walls |
| The pipe (5 Ci | tx of Atlant | a onlis be | ing repaire | d by Cit |
| 7. ALL ESTIMATES AND DAMA | AGES ARE SUBJECT TO I | NSPECTION. THE MA | AKING OF FALSE C | LAIMS WILL |
| RESULT IN YOUR CLAIM BE | ING DENIED AND MAY | RESULT IN CRIMINA | AL PROSECUTION! | |
| RESULT IN YOUR CLAIM BE | ING DENIED AND MAY | | AL PROSECUTION! | Atlan |
| 8. The registered owner must | ING DENIED AND MAY make the claim for vehi | cle damages, complet | te the following and | Atlan |
| RESULT IN YOUR CLAIM BE | ING DENIED AND MAY make the claim for vehi | cle damages, complet | te the following and | Atlan |
| 8. The registered owner must estimates of repair and proof of Yourvehide: | make the claim for vehion ownership of your vehice | cle damages, complet tle (copy of the current | te the following and tag receipt or title). | At (ar) |
| 8. The registered owner must estimates of repair and proof of | make the claim for vehion ownership of your vehice | cle damages, complet | te the following and | At (ar) |
| 8. The registered owner must estimates of repair and proof of Yourvehide: | make the claim for vehic of ownership of your vehic (Year) | cle damages, completele (copy of the currentele (Tag Number) | te the following and tag receipt or title). | At (an) d attach two (2) Name) |
| 8. The registered owner must estimates of repair and proof of Yourvehicle (Make) | make the claim for vehion ownership of your vehice | cle damages, completele (copy of the currentele (Tag Number) | te the following and tag receipt or title). | At (an) d attach two (2) Name) |
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| 8. The registered owner must estimates of repair and proof of Yourvehicle: (Make) (ity vehicle: (Make) Witness: (Name) | (Year) (City Driver's claim in no way waives the claim on of liability on behalf of | cle damages, complete cle (copy of the current (Tag Number) (Name) (Address) The Sovereign immunity of the City of Atlanta are shown above. | (Department/Broof the City of Atlanted or its employee(s | At (or) d attach two (2) Name) ureau) nber) uta, as granted by |
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